



June 6, 2011

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Applications of AT&T Inc. and Deutsche Telecom AG for Consent to Assign or Transfer Control of Licenses and Authorizations, WT Docket No. 11-65*

Dear Ms. Dortch:

The Information Technology Industry Council (ITI) represents fifty of the nation's leading information technology companies, including computer hardware and software, Internet services, and wireline and wireless networking companies. ITI advocates policies that advance U.S. leadership in technology and innovation, open access to new and emerging markets, support e-commerce expansion, and enhance global competition.

We are at a turning point in the way the American public accesses news and information. While it is not newsworthy in and of itself, approximately half the population will get their news from a mobile device. What is attention grabbing is the fact that the growth in the usage of powerful wireless devices, remote health and business solutions, and rich media are overwhelming the invisible infrastructure that supports these innovations. It is the need to address this spectrum crisis, and its implication for innovation, jobs and economic growth, that has led many tech companies to weigh the relative merits of endorsing AT&T's acquisition of T-Mobile.

Deciding whether to support this acquisition is not easy. The tech sector is aware of concerns that have been raised about the competitive implications of a combined AT&T and T-Mobile with 130 million subscribers. That said, the public interest implications are compelling particularly as it relates to the broader deployment of next generation, high-speed wireless broadband.

The Federal Communications Commission estimates that, by 2014, mobile broadband traffic will increase by 35 times the 2009 levels. In fact, data traffic on mobile networks in 2010 was three times the amount of all data transmitted on the entire Internet in 2000. The current amount of spectrum provisioned for mobile broadband is not enough to handle this growth, although unlicensed WiFi networks

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have helped to shoulder a share of the load. Without some change, not only will existing spectrum be unable to meet current demand, it will not be able to support the innovative and next generation wireless devices that are being developed as we speak.

As the tech sector continues developing innovative products and devices that bridge the gap between wired and wireless communications, a robust, national high-speed wireless broadband network will be essential to compete in the global marketplace.

Fortunately, Congress is evaluating viable solutions offered by the FCC and the Administration. Both proposed plans, the National Broadband Plan and the White House's National Wireless Initiative, would expand access to high-speed wireless broadband, likely via a Long Term Evolution (LTE) 4G network, to the vast majority of the country (95 percent for the FCC's plan, 98 percent for the President's plan). The National Broadband Plan also supported making unlicensed spectrum available for wireless broadband. What is needed now is for Congress and the Administration to move past debating these ideas and take swift action that makes more licensed and unlicensed spectrum available as soon as possible.

Unfortunately, even if Congress were to act today, consumers would not experience the benefits of making new spectrum available for at least five years. Which is why a combined AT&T/T-Mobile has some real appeal for many. The new entity would likely result in meaningful near and long-term improvement to the nation's networks. Through the integration and more rational utilization of spectrum, consumers would immediately experience improved capacity and performance.

Additionally, over the longer term, AT&T has committed to invest \$8 billion beyond its current plans to provide a "4G LTE" network to 97 percent of the country should this merger be approved. This commitment to essentially blanket the country with a next generation network, if implemented, would enable new services and new opportunities to previously underserved areas and populations, and would spur a new wave of innovation for mobile applications and services that could not have been imagined with prior technologies.

These tangible benefits, as well as those that would be generated by the deployment of high speed wireless spectrum, including faster and more powerful devices, new applications and more cloud computing programs, have positively captivated the attention of many in the tech sector. Ultimately, the final level of tech company and sector support will depend on what other commitments AT&T makes and the conditions that emanate from the FCC. Some unknowns are whether approval of this acquisition could be a vehicle for addressing the lack of



technological adoption in many urban centers, or if approval would ensure that all wireless devices have full access to AT&T's new high-speed network.

The Internet, and Americans' ability to access it from almost anywhere, has been one of the greatest drivers of our economy. Supporting initiatives that will increase infrastructure investment and enable even greater access to the Internet whether it's over a wired or wireless connection is smart public policy, smart economic policy, and smart consumer policy. Our nation needs more spectrum, more investment, and broader adoption and accessibility.

As it turns out, Congress and the FCC have the ability to make headlines by enabling short and long-term solutions, starting with passing incentive auction legislation this year to free up more spectrum for mobile broadband use. While this merger may help solve AT&T's spectrum needs over the next few years, there is no doubt that AT&T's and other carriers' long-term spectrum needs will remain very high. Incentive auctions – the transitioning of spectrum from lower to higher value uses via auction – is the most efficient means to solve this problem. Because, in just a few years, we are going to see far more than half the population reaching for their wireless device to access the news and information they are looking for.

Sincerely,

Dean C. Garfield